

30.01.2024
Sl. No.11
akd
[ALLOWED]

C. R. M. (NDPS) 184 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.01.2024 in connection with Kulpi Police Station Case No.151 of 2021 dated 18.05.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.28 of 2021)

And

In Re: ***Suman Halder***

... .. Petitioner

Mr. Sandip Dinda
Ms. Ispita Ghosh

... .. for the petitioner

Mr. Avishek Sinha

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than two years and eight months. It is further submitted there is inordinate delay in trial. Co-accused has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Petitioner is in custody for a protracted period of time. Co-accused has been enlarged on bail on the ground of delay in trial. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Suman Halder***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act-cum-Additional District & Sessions Judge, 12th Court, Alipore, South 24-Parganas subject to condition that the said petitioner shall appear before the trial court on every date of hearing

until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.

5. In the event he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)